

NOV - 9 2020

United States Court of Appeals
for the Fifth Circuit

David J. Bradley, Clerk of Court

United States Court of Appeals
Fifth Circuit

FILED

October 16, 2020

No. 19-41015

Lyle W. Cayce
Clerk

M. D., *by next friend* SARAH R. STUKENBERG; Z. H., *by next friend* CARLA B. MORRISON; S. A., *by next friend* JAVIER SOLIS; A. M., *by next friend* JENNIFER TALLEY; J. S., *by next friend* ANNA J. RICKER; H. V., *by next friend* ANNA J. RICKER; L. H., *by next friend* ESTELA C. VASQUEZ; C. H., *by next friend* ESTELA C. VASQUEZ; A. R., *by next friend* TOM MCKENZIE, INDIVIDUALLY AND *on behalf of* ALL OTHER SIMILARLY SITUATED,

Plaintiffs—Appellees,

versus

GREG ABBOTT, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF THE STATE OF TEXAS; COURTNEY PHILLIPS, IN HER OFFICIAL CAPACITY AS EXECUTIVE COMMISSIONER OF THE HEALTH AND HUMAN SERVICES COMMISSION OF TEXAS; JAIME MASTERS, IN HER OFFICIAL CAPACITY AS COMMISSIONER OF THE DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES OF THE STATE OF TEXAS,

Defendants—Appellants.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:11-CV-84



Certified as a true copy and issued
as the mandate on Nov 09, 2020

Attest: *Lyle W. Cayce*
Clerk, U.S. Court of Appeals, Fifth Circuit

19-41015

Before BARKSDALE, ELROD, and HO, *Circuit Judges*.*

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is REVERSED, and the cause is REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that each party bear its own costs on appeal.

Judge Barksdale concurs in the judgment only.

* Judge Barksdale concurs only in the judgment.